

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

IN RE: BOSTON SCIENTIFIC CORP.,  
PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION

MDL No. 2326

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THIS DOCUMENT RELATES TO THE FOLLOWING  
WAVE 1 AND 2 CASES:

<i>Mills, et al. v. Boston Sci. Corp., et al.</i>	2:13-cv-19883	Wave 1
<i>Montgomery, et al. v. Boston Sci. Corp., et al.</i>	2:14-cv-00720	Wave 2
<i>Oliver, et al. v. Boston Sci. Corp.</i>	2:12-cv-01504	Wave 2
<i>Boyd v. Boston Sci. Corp.</i>	2:13-cv-21556	Wave 1
<i>Smith v. Boston Sci. Corp.</i>	2:12-cv-03537	Wave 1

**PRETRIAL ORDER # 107**

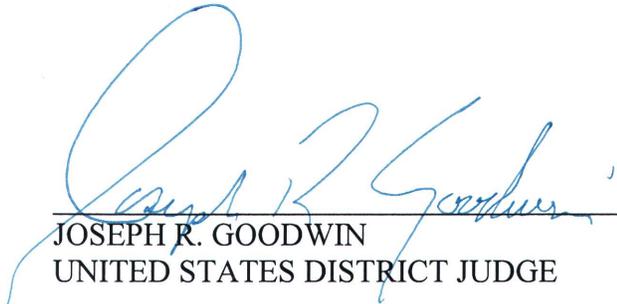
(Order Removing Cases from Wave 1 and Wave 2 Process)

Pending is a Joint Motion to Remove Cases from Boston Scientific Corporation's Wave 1 and Wave 2 Process, filed July 25, 2014. [Docket 839.] In the motion, the parties assert that the cases cited above are not appropriate for inclusion in Waves 1 and 2 for a variety of reasons, including that the parties have since learned that multiple manufacturers are involved in some of the cases named above. It is **ORDERED** that the Joint Motion is **GRANTED**. It is further **ORDERED** that the above cases are removed from the Wave 1 and Wave 2 groups and that the PTOs entered in the individual cases are **VACATED**. The Clerk is **INSTRUCTED** to remove the Wave 1 or Wave 2 designation from the docket sheet.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2326 and in **2:13-cv-19883, 2:14-cv-00720, 2:12-cv-01504, 2:13-cv-21556 and 2:12-cv-03537** and it shall apply to each member related case previously transferred to, removed to, or filed in this district, which

includes counsel in all member cases up to and including civil action number 2:14-cv-24134. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at [www.wvsd.uscourts.gov](http://www.wvsd.uscourts.gov).

ENTER: July 30, 2014



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JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE